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Hate Crimes and Violence against People Experiencing Homelessness

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History of Violence

Over the past eight years, advocates and homeless shelter workers from around the country have received news reports of men, women and even children being harassed, kicked, set on fire, beaten to death, and even decapitated. From 1999 through 2006, there have been 614 acts of violence by housed people, resulting in 189 murders of homeless people and 425 victims of non-lethal violence in 200 cities from 44 states and Puerto Rico.

In response to this barrage of information, the National Coalition for the Homeless (NCH), along with its Civil Rights Work Group, a nationwide network of civil rights and homeless advocates, began compiling documentation of this epidemic. NCH has taken articles and news reports and compiled them into an annual report. The continual size of reports of hate crimes and violence against people experiencing homelessness has led NCH to publish its eighth annual consecutive report, “Hate, Violence, and Death on Main Street USA: A Report on Hate Crimes and Violence Against People Experiencing Homelessness in 2006.” This annual report also includes a eight-year analysis of this widespread epidemic. These reports are available on the NCH website at: www.nationalhomeless.org

What is a Hate Crime?

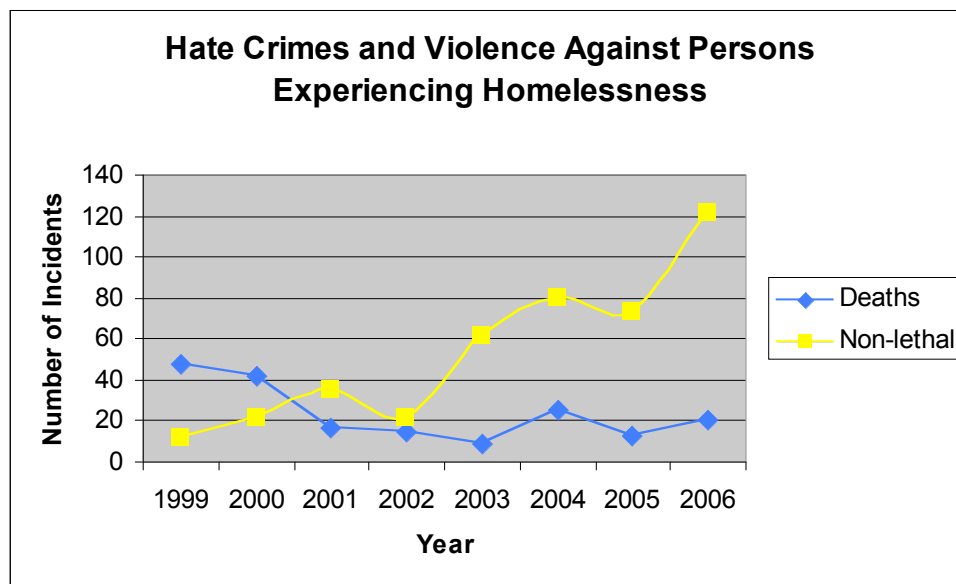
The term “hate crime” generally conjures up images of cross burnings and lynchings, swastikas on Jewish synagogues, and horrific murders of gays and lesbians. In 1968, the U.S. Congress defined a hate crime as a crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime, because of their race, color or national origin (Title 18 U.S.C Section 245). The first federal law to combat hate crimes, 18 USC Section 245, passed in 1968; it mandated that the government must prove both that the crime occurred because of a victim’s membership in a designated group and because the victim was engaged in certain specified federally-protected activities -- such as serving on a jury, voting, or attending public school.¹

¹ Source: Anti-Defamation League, http://www.adl.org/legislative_action/hatecrimes_briefing.html

Federal bias crime laws enacted subsequently have provided additional coverage. The Hate Crimes Statistics Act of 1990 (HCSA) authorizes the Justice Department to collect data from law enforcement agencies about crimes that “manifest evidence of prejudice based upon race, religion, -sexual orientation, or ethnicity.”² The Hate Crimes Sentencing Enhancement Act, enacted as a section of the Violent Crime Control and Law Enforcement Act of 1994, defines hate crimes as “a crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime, because of the actual or perceived race, color, national origin, ethnicity, gender, disability, or sexual orientation of any person.” This measure only applies to attacks and vandalism that occur in national parks and on federal property.³

Who Commits Hate Crimes and Violence against People who are Homeless?

Most hate crimes/violent acts are committed not by organized hate groups, but by individual citizens who harbor a strong resentment against a certain group of people. Some are “mission offenders,” who believe they are on a mission to cleanse the world of a particular evil. Others are “scapegoat offenders,” who violently act out their resentment toward the perceived growing economic power of a particular racial or ethnic group. Still others are “thrill seekers,” those who take advantage of a vulnerable and disadvantaged group in order to satisfy their own pleasures. Thrill seekers, primarily in their teens, are the most common perpetrators of violence against people who are homeless.



Eight Years Analysis (1999—2006) Hate Crimes / Violence Statistics

Total number of violent acts over 8 years: 614

Total number of deaths over 8 years: 189

Total number of non-lethal attacks over 8 years: 425

² Source: Leadership Conference on Civil Rights, www.civilrights.org

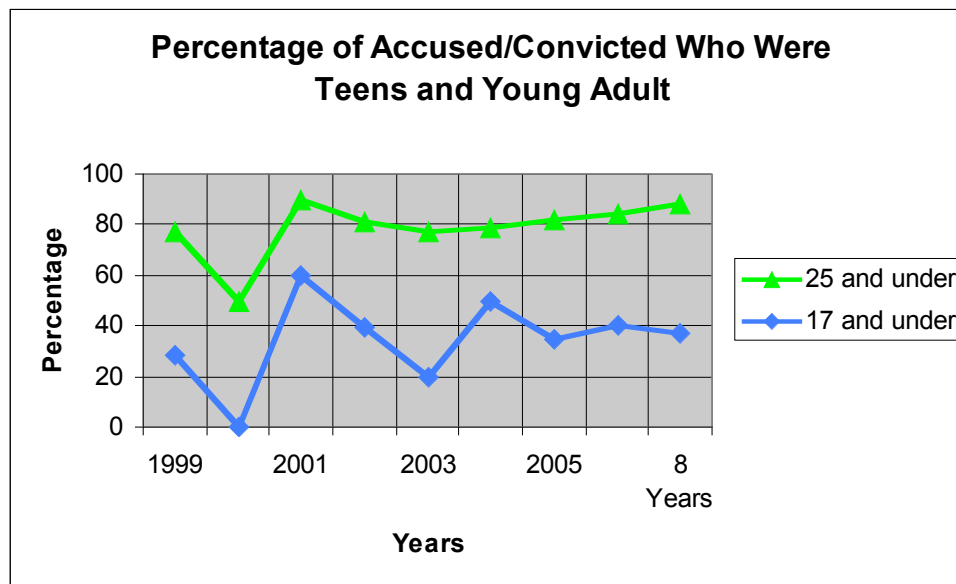
³ Source: Anti-Defamation League, http://www.adl.org/legislative_action/hatecrimes_briefing.html

Number of cities where crimes occurred over 8 years: 200
 Number of states where crimes occurred over 8 years: 44 states plus Puerto Rico
 Age ranges of the accused/convicted: from 11 to 75 years of age
 Age ranges of the victims: from 4 months old to 74 years of age
 Gender of victims: Male: 359 Female: 48

2006 Hate Crimes / Violence Statistics

Total number of violent acts: 142
 Total number of deaths: 20
 Total number of non-lethal attacks: 122
 Number of cities/counties where crimes occurred: 62
 Number of states where crimes occurred: 26 states
 Age Ranges of the accused/ convicted: 13, 14 (five), 15 (eight), 16 (fifteen), 17 (fourteen), 18 (fourteen), 19 (nine), 20 (four), 21 (six), 22 (four), 23 (three), 24, 25 (five), 27 (two), 28 (three), 29, 30, 32, 33 (three), 34, 43, 44 (two), 50 and 59.
 Age ranges of the victims in 2006: 21 (two), 22, 25, 28, 30 (two), 31, 32, 33, 34, 35, 36, 39 (two), 41 (five), 42, 43 (two), 44, 45 (four), 46 (two), 47 (three), 48 (three), 49 (two), 50 (two), 51 (five), 52, 54 (three), 55, 56, 57, 58 (three), 60 (two), 62 (two), 63, 67 and 68
 Gender of victims: Male: 98 Female: 16

COMPARISON OF HATE CRIME HOMICIDES vs. FATAL ATTACKS ON HOMELESS INDIVIDUALS 1999-2005



Examples of Hate Crimes and Violence against People Experiencing Homelessness

****On January 12, 2006, three homeless men, of Fort Lauderdale, Florida were brutally beaten with baseball bats and sticks in the cover of darkness. The victims included Jacques Pierre, 58, and Raymond Perez, 49, who were both listed in serious condition for several days and are recovering not only from the visible broken bones, lacerations, and deep bruises, but also from the internal damage to both their mind and body. Less fortunate was Norris Gaynor, 45, who suffered similar injuries but died of head trauma and internal bleeding within hours of arriving at the hospital. A video surveillance camera captured the inhumane pummeling of Pierre, which led to the arrest of William Ammons, 18, Brian Hooks, 18 and Tom Daugherty, 17. The chilling footage shows a defenseless Pierre, struggling unsuccessfully to escape, while enduring unmerciful blow after blow to his head and body from two of the teens wielding baseball bats and smiling, taking apparent pleasure in this act of absolute hatred. The three face murder charges for the death of Gaynor as well as aggravated assault for the other victims.**

****On May 28th, 2005, 53 year-old Michael Roberts, of Holly Hill, Florida was beaten and punched to death with sticks and logs by a group of five teenagers who admitted to doing it for fun. The teens included Christopher Scamahorn, 14, Warren Messer, 15, Phi Huynh, 15, Jeffery Spurgion, 18, and Justin Stearns, 18. The autopsy report indicates that Roberts died of blunt-force trauma to the head and body, his ribs were broken, skull fractured, and his legs were badly injured. Defensive wounds were found on his hands. The boys returned several times to make sure the job was done. Four of the teens were charged with second-degree murder. In April of 2006 the assailants were sentenced with terms ranging from 22 to 35years in length. Scamahorn and Jeffrey Spurgeon both**

Year	Homicides Classified as Hate Crimes (FBI Data)	Fatal Attacks on Homeless Individuals (NCH Data)
1999	17 (9 racially, 2 religiously, 3 sexual orientation, 3 ethnically motivated)	48
2000	19 (10 racially, 1 religiously, 2 sexual orientation, 6 ethnically motivated)	42
2001	10 (4 racially, 1 sexual orientation, 5 ethnically motivated)	17
2002	11 (4 racially, 1 religiously, 4 sexual orientation, 2 ethnically motivated)	15
2003	14 (5 racially, 6 sexual orientation, 2 ethnically, 1 anti-disability motivated)	9
2004	5 (3 racially, 1 religiously, 1 sexual orientation motivated)	25
2005	6 (3 racially, 3 ethnically motivated)	13
7 Year Total	82	169

received 35 years, while Stearns received 28 and Messner only 22 years. Phi Huynh, the fifth teen involved was charged with aggravated battery.

Recommendations for Action:

The National Coalition for the Homeless recommends that the following actions be taken:

1. A **public statement** by the U.S. Department of Justice acknowledging that hate crimes and/or violence against people experiencing homelessness is a serious national trend.
2. The U.S. Department of Justice would **issue guidelines** for local police on how to investigate and work with people experiencing homelessness based on recommendations from the National Coalition for the Homeless. The U.S. Department of Justice would recommend improvements to state law on how to better protect against violence directed against people experiencing homelessness, including tougher penalties.
3. With the assistance of the National Coalition for the Homeless and criminal justice professionals, **add “housing status” information to the checklist of data** maintained as part of the National Incident Based Reporting System (NIBRS) maintained by the FBI. Similar efforts should be undertaken by state UCR agencies.
4. **Inclusion of housing status** in the pending state and federal hate crimes legislation. Federal bills introduced during the 109th Congress (2005-2006) included the Local Law Enforcement Hate Crimes Prevention Act of 2005 (H.R. 2662 in the U.S. House of Representatives; S.1145 in the U.S. Senate--109th Congress). Neither bill passed, they are expected to be reintroduced in 2007.
5. **Awareness training** at police academies and departments nationwide for trainees and police officers on how to deal effectively and humanely with people experiencing homelessness in their communities.
6. **Faces of Homelessness Speakers’ Bureaus** (made up of homeless and formerly homeless people) become established in communities around the country. Speakers would visit both public and private schools in the community for the purposes of information and education. For more help and technical assistance in establishing a Faces of Homelessness Speakers’ Bureau in your community, contact Michael O’Neill, Project Director, at: Ph. (202) 462-4822 x20; Email: moneill@nationalhomeless.org, or visit <http://www.nationalhomeless.org/faces>

7. **A U.S. Government Accountability Office (GAO) study** into the nature and scope of hate crimes and/or violent acts and crimes that occur against people experiencing homelessness. This proposed study will address the following:
- Causes of hate crimes/violence.
 - Circumstances that contribute to or were responsible for the perpetrators' behavior.
 - Beliefs held by the perpetrators of these crimes and how their beliefs have changed since conviction.
 - Thoughts and advice from the perpetrators to others who are considering hate crimes/violence against the homeless population.
 - Community education, prevention and law enforcement strategies.
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Resources

1999: No More Homeless Deaths! Hate Crimes: A Report Documenting Violence Against Men and Women Homeless in the U.S.

2000: A Report of Hate Crimes and Violence Against People Who Are Homeless in the United States in 2000

2001: Hate. A Compilation of Violent Crimes Committed Against Homeless People in the U.S. in 2001

2002: Hate, Violence, and Death on Main Street USA: A Report on Hate Crimes and Violence Against People Experiencing Homelessness in 1999-2002

2003: Hate, Violence, and Death on Main Street USA: A Report on Hate Crimes and Violence Against People Experiencing Homelessness in 2003

2004: Hate, Violence, and Death on Main Street USA: A Report on Hate Crimes and Violence Against People Experiencing Homelessness in 2004

2005: Hate, Violence, and Death on Main Street USA: A Report on Hate Crimes and Violence Against People Experiencing Homelessness in 2005

2006: This report, Hate, Violence, and Death on Main Street USA: A Report on Hate Crimes and Violence Against People Experiencing Homelessness in 2005

These entire reports are available on NCH's website: (www.nationalhomeless.org)